UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/611,509 | 06/30/2003 | Luis Azcona | 60655.1300 | 8718 |

20322 7590 10/18/2006

SNELL & WILMER
400 EAST VAN BUREN
ONE ARIZONA CENTER
PHOENIX, AZ 85004-2202

| EXAMINER | |
|---|---|
| PARDO, THUY N | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2165 | |

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/611,509 | AZCONA ET AL. | |
| | Examiner | Art Unit | |
| | Thuy N. Pardo | 2165 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *11 July 2006 and 19 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *6 and 9-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6 and 9-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. This communication is responsive to the Amendment filed on June 19, 2006.

2. Claims 6 and 9-15 are pending in this application. Claim 6 is the sole independent claim. In the Amendment filed on July 11, 2006, claim 6 was amended. This action is made Non-Final.

### *Claim Rejections - 35 USC § 103*

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 6 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,729,741 to Liaguno et al. in view of U.S. Patent Application Publication No. 2003/0130843 to Ky.

Referring to claim 6, Liaguno discloses a method for facilitating a search of a database for binary content corresponding to a text string substantially as claimed. See Figures 1-6 and the corresponding portions of Liaguno's specification for this disclosure. Liaguno teaches a method [See Figs. 2-3] for facilitating a search [See Abstract and all of Figs. 1-6] of a database [37 (See Fig. 1)] for binary content [audio and image files] corresponding to a text string [text search parameter(s)], said method comprising:

creating a record ['entry'] in said database [See Figs. 1-5];

storing said binary content [original file] within a binary large object field [311] of said record [See Figs. 1-3], wherein said binary content [image/audio/video content] does not contain

searchable text [image/audio/video content is not text content and does not contain searchable text];

converting said binary content directly into text content [See Abstract & Fig. 2];

storing said text content within a character large object field [301-307] of said record;

searching for said text string within said second field [See Column 3, lines 31-48 and Column 8, line 43 et seq.]; and

downloading, from said database, said binary content [See Summary & Column 8, line 50 et seq.] to a computer [e.g. View Station (14)] based on said searching step.

Liaguno does not expressly disclose converting "each binary set of said binary content" directly into "each corresponding ASCII value" to form text content as claimed. That is, Liaguno's conversion of the binary content to the text content is not expressly accomplished by converting each binary set directly into its corresponding ASCII value.

Ky discloses a system and method similar to that of Liaguno, wherein binary content is converted to text content by "converting each binary set of said binary content directly into each corresponding ASCII value to form text content" as claimed. See Paragraphs 0026 and 0032 of Ky's specification for this disclosure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liaguno's binary-to-text conversion to include the conversion of Ky to obtain the invention as claimed. One would have been motivated to do so in order to provide Liaguno's system with a stronger and less processor-intensive audio to text converter, as disclosed by Ky.

Referring to claims 9 and 10, the combination of Liaguno in view of Ky as applied to claim 6 above (hereafter 'Liaguno/Ky') teaches the method of claim 6, as above, wherein said converting step comprises:

determining a file format [e.g. text image, voice/speech (audio) or image][1] of said binary content; and

converting said binary content to said text content [See Fig. 2] based on said file format by applying an algorithm [See 203, 213 and 223] according to said file format as claimed.

Referring to claim 11, Liaguno/Ky teaches the method of claim 6, as above, wherein said searching step comprises:

receiving search criteria [See Column 3, lines 31-48 and Column 8, line 43 et seq.], wherein said search criteria comprises said text string [free text parameters / key words];

constructing a query [e.g. SQL or w/ Boolean logic (See Fig. 1 & Column 8, line 43 et seq.)] based on said search criteria;

executing said query...matching said search criteria... and retrieving said binary content...[See Fig. 1 & Column 8, line 43 et seq.] as claimed.

Referring to claim 12, Liaguno/Ky teaches the method of claim 11, as above, further comprising parsing said binary content according to said search criteria [See Figs. 5-6] as claimed.

Referring to claim 13, Liaguno/Ky teaches the method of claim 6, as above, wherein said searching step comprises searching for said text string via a browser application [on View Station 14 (See Column 7, line 13 et seq. and Column 8, line 43 et seq.)] as claimed.

---

[1] All citations within brackets henceforth refer to Liaguno, unless otherwise noted.

Referring to claim 14, Liaguno/Ky teaches the method of claim 6, as above, wherein said downloading step comprises saving said binary content to a file [media image file in memory of network server (See Abstract, Summary and Column 8, line 43 et seq.)] and providing a hyperlink to said file [via interface on 13 or 14] as claimed.

Referring to claim 15, Liaguno/Ky teaches the method of claim 6, as above, wherein said downloading step comprises downloading said binary content to said computer [13 or 14] which is remote from said database [See Fig. 1] as claimed.

***Response to Arguments***

4. Applicant argues that neither Liaguno nor Ky teaches storing both the binary data and the ASCII representation of the binary file in database fields within the same record.

Examiner respectfully disagrees. Examiner believes that both Liaguno and Ky teach this feature. Liaguno teaches storing an image file from different media and creating a text file for that media image, so that free text search operator may bee employed to locate a media image file, and thereby accessing the index file with which the text file is associated [see col. 7, lines 39 to col. 8, lines 62], and Ky teaches obtaining each stored media image file and converting to ASCII representations of letters 28 and 48 of fig. 2; 0021].

5. Applicant's arguments filed on June 19, 2006 have been fully considered but they are not persuasive.

***Conclusion***

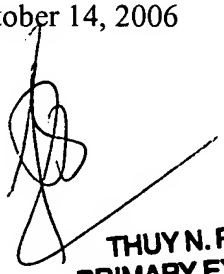
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Specifically, the prior art not relied upon herein is considered pertinent to the amended subject matter of converting each binary set of said binary content directly into each corresponding ASCII value to form text content.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy N. Pardo whose telephone number is 571-272-4082. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 14, 2006



THUY N. PARDO
PRIMARY EXAMINER